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JAN 26 2014	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>Dr. [Signature]</u>	DEPUTY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MELINDA ELLIS,

Plaintiff,

v.

ALESSI TRUSTEE CORPORATION and  
ALESSI & KOENIG, LLC,

Defendants.

3:09-CV-0428-LRH-WGC

VERDICT FORM

Instructions: When answering the following questions and filling out this Verdict Form, please refer to the Jury Instructions for guidance on the law applicable to the subject matter covered by each question.

WE THE JURY, in the above-entitled case, unanimously find as follows:

**I. FDCPA DAMAGES – ALESSI TRUSTEE CORPORATION**

The court has already found as a matter of law that **Alessi Trustee Corporation** violated the Fair Debt Collection Practices Act. However, it is up to you, the jury, to determine the amount of statutory damages that Plaintiff is entitled to for Defendants' violation. Under the Fair Debt Collection Practices Act, you may award plaintiff statutory damages in any amount up to, but not exceeding \$1,000.

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1 On Plaintiff's claim for violation of the Fair Debt Collection Practices Act, we the jury find  
2 that Plaintiff is entitled to an award of statutory damages in the amount of \$ 1,000.00.

3 As part of Plaintiff's claim under the Fair Debt Collection Practices Act, as well as  
4 Plaintiff's claims for Civil Racketeering (if you have found that plaintiff has proven this claim by a  
5 preponderance of the evidence), it is up to you, the jury, to also determine the amount of  
6 compensatory damages Plaintiff is entitled to receive. However, Plaintiff can recover only once for  
7 any single amount of loss, even if Plaintiff has asserted multiple legal theories that would warrant  
8 recovery for that loss. Therefore, we find that Plaintiff is entitled to an award of compensatory  
9 damages in the amount of \$ 25,000.00.

10  
11 **II. CIVIL RACKETEERING – ALESSI TRUSTEE CORPORATION**

12 On Plaintiff's claim for Civil Racketeering against **Alessi Trustee Corporation**, do you  
13 find that plaintiff has proved by a preponderance of the evidence that **Alessi Trustee Corporation**  
14 engaged in at least two crimes related to racketeering?

15 Yes: X

16 No: \_\_\_\_\_

17  
18 **III. CIVIL RACKETEERING DAMAGES – ALESSI TRUSTEE CORPORATION**

19 In a claim for Civil Racketeering, a successful Plaintiff is entitled to three times the amount  
20 of his or her compensatory damages. If you have found for Plaintiff on her claim for Civil  
21 Racketeering against **Alessi Trustee Corporation**, please answer the question in the next  
22 paragraph. Otherwise, proceed to Section IV.

23 On Plaintiff's claim for Civil Racketeering against **Alessi Trustee Corporation**, we find  
24 that Plaintiff is entitled to compensatory damages in the amount of \$ 25,000.00.  
25 Multiplying this amount by three results in an award of \$ 75,000.00.

26 //

1 Are any compensatory damages awarded under this Section included in the amount of  
2 actual damages awarded for violations of the Fair Debt Collection Practices Act by **Alessi Trustee**  
3 **Corporation** under Section I? If so, please identify the amount: \$ 0.00.

4  
5 **IV. PUNITIVE DAMAGES – ALESSI TRUSTEE CORPORATION**

6 If you have found for Plaintiff on her claim for Civil Racketeering against **Alessi Trustee**  
7 **Corporation**, please answer the question in the next paragraph. Otherwise, proceed to Section V.

8 We find that Plaintiff is entitled to an award for punitive damages related to **Alessi Trustee**  
9 **Corporation's** extreme and outrageous conduct in the amount of \$ 151,000.00.

10  
11 **V. FDCPA DAMAGES – ALESSI & KOENIG, LLC**

12 The court has already found as a matter of law that **Alessi & Koenig, LLC** violated the Fair  
13 Debt Collection Practices Act. However, it is up to you, the jury, to determine the amount of  
14 statutory damages that Plaintiff is entitled to for Defendants' violation. Under the Fair Debt  
15 Collection Practices Act, you may award plaintiff statutory damages in any amount up to, but not  
16 exceeding \$1,000.

17 On Plaintiff's claim for violation of the Fair Debt Collection Practices Act, we the jury find  
18 that Plaintiff is entitled to an award of statutory damages in the amount of \$ 1,000.00.

19 As part of Plaintiff's claim under the Fair Debt Collection Practices Act, as well as  
20 Plaintiff's claims for Civil Racketeering (if you have found that plaintiff has proven this claim by a  
21 preponderance of the evidence), it is up to you, the jury, to also determine the amount of  
22 compensatory damages Plaintiff is entitled to receive. However, Plaintiff can recover only once for  
23 any single amount of loss, even if Plaintiff has asserted multiple legal theories that would warrant  
24 recovery for that loss. Therefore, we find that Plaintiff is entitled to an award of compensatory  
25 damages in the amount of \$ 25,000.00.

26 //

1 **VI. CIVIL RACKETEERING – ALESSI & KOENIG, LLC**

2 On Plaintiff's claim for Civil Racketeering against **Alessi & Koenig, LLC**, do you find that  
3 plaintiff has proved by a preponderance of the evidence that **Alessi & Koenig, LLC** engaged in at  
4 least two crimes related to racketeering?

5 Yes:   X  

6 No:           

7  
8 **VII. CIVIL RACKETEERING DAMAGES – ALESSI & KOENIG, LLC**

9 In a claim for Civil Racketeering, a successful Plaintiff is entitled to three times the amount  
10 of his or her compensatory damages. If you have found for Plaintiff on her claim for Civil  
11 Racketeering against **Alessi & Koenig, LLC**, please answer the question in the next paragraph.  
12 Otherwise, proceed to Section VIII.

13 On Plaintiff's claim for Civil Racketeering against **Alessi & Koenig, LLC**, we find that  
14 Plaintiff is entitled to compensatory damages in the amount of \$ 25,000.00. Multiplying  
15 this amount by three results in an award of \$ 75,000.00.

16 Are any compensatory damages awarded under this Section included in the amount of  
17 actual damages awarded for violations of the Fair Debt Collection Practices Act by **Alessi &**  
18 **Koenig, LLC** under Section V? If so, please identify the amount: \$ 0.00.

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**VIII. PUNITIVE DAMAGES – ALESSI & KOENIG, LLC**

If you have found for Plaintiff on her claim for Civil Racketeering against **Alessi & Koenig, LLC**, please answer the question in the next paragraph. Otherwise, sign and date this verdict form.

We find that Plaintiff is entitled to an award for punitive damages related to **Alessi & Koenig, LLC's** extreme and outrageous conduct in the amount of \$ 157,000.<sup>00</sup>.

DATED this 26 day of January, 2015.

\_\_\_\_\_  
FOREPERSON